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6
7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

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10 UNITED STATES OF AMERICA,) Case No.: 2:13-mj-652-VCF
11 Plaintiff,)
12 vs.) STIPULATION TO CONTINUE
13 JOHN DOE, a.k.a. Arnold Malone,) PRELIMINARY HEARING
Defendant.) (Second Request)
14)

15 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
16 United States Attorney, and Sarah E. Griswold, Assistant United States Attorney, counsel for the
17 United States of America, and Raquel Lazo, Assistant Federal Public Defender, counsel for
18 Defendant John Doe, a.k.a. Arnold Malone, that the Preliminary Hearing in this matter currently
19 scheduled for July 7, 2015, at the hour of 4:00 p.m., be vacated and set to a date and time to be set
20 by this court; however, no earlier than thirty (30) days.

21 This Stipulation is being entered into for the following reasons:

22 1. The United States provided early discovery, and the continuance is needed to allow
23 the defendant time to review the evidence in anticipation of a pre-indictment resolution of the case.
24

1 2. The additional time is needed to allow the parties to conduct further investigation in
2 anticipation of a pre-indictment resolution of the case.

3 3. The defendant is incarcerated, and does not object to the continuance.

4 4. The additional time requested herein is not sought for purposes of delay, but merely
5 to allow counsel for the government and the defendant sufficient time to attempt to resolve this
6 matter.

7 5. Denial of this request for continuance would deny counsel for the defendant
8 sufficient time to effectively and thoroughly complete negotiations, taking into account the
9 exercise of due diligence.

10 6. Additionally, denial of this request for continuance could result in a miscarriage of
11 justice.

12 7. The additional time requested by this Stipulation is excludable in computing the
13 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,
14 United States Code, Section 3161(h)(1)(D) and Title 18, United States Code, Section
15 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
16 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

17 8. This is the second request for a continuance of the preliminary hearing.

18 DATED: this 1st day of July, 2015.

19 DANIEL G. BOGDEN
20 United States Attorney

21 /s/ Sarah E. Griswold
22 SARAH E. GRISWOLD
23 Assistant United States Attorney

21 /s/ Raquel Lazo
22 RAQUEL LAZO
23 Counsel for Defendant John Doe,
24 a.k.a. Arnold Malone

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)	Case No.: 2:13-mj-652-VCF
)	
Plaintiff,)	ORDER TO CONTINUE PRELIMINARY
)	HEARING
vs.)	
)	
JOHN DOE, a.k.a. Arnold Malone,)	
)	
Defendant.)	

FINDINGS OF FACT

Based on the pleadings and arguments of counsel, and good cause appearing therefore, the Court finds that:

1. The United States provided early discovery, and the continuance is needed to allow the defendant time to review the evidence in anticipation of a pre-indictment resolution of the case.
2. The additional time is needed to allow the parties to conduct further investigation in anticipation of a pre-indictment resolution of the case.
3. The defendant is incarcerated, and does not object to the continuance.
4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the government and the defendant sufficient time to attempt to resolve this matter.
5. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly complete negotiations, taking into account the exercise of due diligence.

